

**REMARKS**

Applicant has carefully reviewed the office action mailed January 12, 2007. Applicant further thanks the Examiner for the telephone interview held March 15, 2007, and the present amended is intended to implement the conclusions of our meeting. The present amendment is intended to be fully responsive to all points of rejection raised by the Examiner, and is believed to place the application in condition for allowance. Favorable reconsideration and allowance is hereby solicited.

Applicant herein cancels without prejudice claims and 131, 135 and 137, presents new claims 140 – 157 and amends claims 118, 121- 127, 130, 132 – 134, 136 and 138 - 139. Thus, claims 118 – 130, 132 – 134, 136 and 138 – 157 remain in the case.

Support for the amendments may be found in the originally filed specification and claims, and in particular the section before the detailed description associated with Fig. 19A, found beginning on the bottom of page 73. No new matter is added by these amendments.

**SUBSTANCE OF THE INTERVIEW**

A telephonic interview was held on March 15, 2007 and agreement was reached that the amendment of claim 1, as presented herein, overcomes the prior art of record. In particular, the prior art reference Cole (U.S. 6,348,874) was compared with the subject amendment. Cole identifies a short circuit, but is not equipped to classify each of the powered nodes as alternatively one of under current, over current and normal.

**Nonstatutory Double Patenting Rejection**

Claim 118 stands rejected on the ground of nonstatutory obviousness-type double patenting over claim 1 of U.S. Patent 6,473,608. Attached please a terminal disclaimer signed by

the agent of record to overcome the nonstatutory double patenting rejection, including the fee under §1.20 (d).

### **Claim Rejections – 35 U.S.C. § 102**

The terms *operable* has been replaced in the claims throughout with the term *operative* to positively assert that the step or function is performed.

Claims 118 - 139 stand rejected under 35 USC 102 (e) as being anticipated by Cole et al (U.S. 6,348,874). As indicated above, Cole is operative to detect a short circuit, and is not equipped to classify each of the powered nodes as alternatively one of under current, over current and normal.

Independent claims 118 and 130 have been amended to positively recite that the power management and control unit is operative to classify, *the network node, or nodes, for which power is provided as alternatively one of over-current, under current and normal.* Thus independent claims 118 and 130 are patentable over Cole.

Dependent claims 119, 120 are patentable at least for depending on patentable claim 118. Furthermore, Cole neither teaches nor suggests that microprocessor 22, equivalent to the power management and control unit of the subject invention, is governed by an operation of a management workstation.

Dependent claim 121 is patentable at least for depending on patentable claim 118. Furthermore, Cole neither teaches nor suggests that microprocessor 22, equivalent to the power management and control unit of the subject invention, reports a classification of one of over current, under current and normal for each node to a management work station. Microprocessor 22 is only equipped to light LEDs and/or notify other elements of a system of the occurrence of short circuits. (Col. 4 line 3 – 7). Short circuit detection and notification is not the same as classification to one of three different states for each node.

Dependent claims 122 and 123, as presently amended, are further patentable over Cole for providing termination of power in the event of an under current classification. Such termination is not taught by Cole, termination with a predetermined time as recited by claim 123 is not taught by Cole and generally classification of under current is not taught by Cole.

Dependent claim 124, as presently amended, is further patentable over Cole for monitoring a total of the current flow to a plurality of nodes, and classifying said total. Cole neither teaches nor suggests monitoring and classifying a total current of a plurality of nodes. Nor does Cole teach or suggest reporting such a classification to a management workstation as in dependent claim 125.

Dependent claim 127, as presently amended, is further patentable over Cole for selection of a mode of operation, between a full functionality mode and a partial functionality mode, of the powered node responsive to a communication from the management and control unit.

Dependent claim 132 is patentable at least for depending on patentable claim 130. Furthermore, Cole neither teaches nor suggests that microprocessor 22, equivalent to the power management and control unit of the subject invention, reports a classification of one of over current, under current and normal for each node to a management work station. Microprocessor 22 is only equipped to light LEDs and/or notify other elements of a system of the occurrence of short circuits. (Col. 4 line 3 – 7). Short circuit detection and notification is not the same as classification to one of three different states for each node.

Dependent claim 133, as presently amended, is further patentable over Cole for monitoring a total of the current flow to a plurality of nodes, and classifying said total. Cole neither teaches nor suggests monitoring and classifying a total current of a plurality of nodes. Nor does Cole teach or suggest reporting such a classification to a management workstation as in dependent claim 134.

Dependent claim 136, as presently amended, is further patentable over Cole for interrogating the node, and reporting a status of the interrogation to the management work station.

Independent claim 138 has been amended to positively recite that the method comprises classifying *the network nodes, for which power is provided as alternatively one of over-current, under current and normal.* As indicated above, Cole is operative to detect a short circuit, and is not equipped to classify each of the powered nodes as alternatively one of under current, over current and normal. Thus independent claim 138 is patentable over Cole.

Dependent claim 139 is further patentable over Cole, since Cole neither teaches nor suggests reporting a classification of one of over current, under current and normal for each node to a management work station. Microprocessor 22 is only equipped to light LEDs and/or notify other elements of a system of the occurrence of short circuits. (Col. 4 line 3 – 7). Short circuit detection and notification is not the same as classification and reporting of one of three different states for each node.

Newly presented claims 140 – 157 are patentable being dependent respectively on patentable claims 118, 130 and 138. Additionally, claims 140 – 142, 148 – 150 and 154 – 156 are further patentable for reciting, respectively, termination of power to over current nodes, providing a plurality of over current classification and associated thresholds, and terminating power after a predetermined time which is function of the exceeded threshold. None of the above features are taught by Cole. Claims 147, 151 and 157, respectively, are further patentable for reciting over current sub-classes and associated thresholds for a total power of a plurality of nodes. Claims 143 – 146 and 152 – 153 are each further patentable for features described above.

**CONCLUSION**

In view of the foregoing, allowance of all pending claims (i.e., claims 118 – 130, 132 – 134, 136 and 138 – 156) is respectfully requested. The Examiner is encouraged to contact Applicant's undersigned agent by telephone if it would in any way aid in the advancement of this application to issue.

Respectfully submitted,

Dated: March 18, 2007  
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